

AN ACT

relating to information required to be provided to parents of an infant.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 161.501 and 161.502, Health and Safety Code, are amended to read as follows:

Sec. 161.501. RESOURCE PAMPHLET AND RESOURCE GUIDE PROVIDED TO PARENTS OF NEWBORN CHILDREN. (a) A hospital, birthing center, physician, nurse midwife, or midwife who provides prenatal care to a pregnant woman during gestation or at delivery of an infant shall:

(1) provide the woman and the father of the infant, if possible, or another adult caregiver for the infant, with a resource pamphlet that includes:

(A) a list of the names, addresses, and phone numbers of professional organizations that provide postpartum counseling and assistance to parents relating to postpartum depression and other emotional trauma associated with pregnancy and parenting;

(B) information regarding the prevention of shaken baby syndrome including:

(i) techniques for coping with anger caused by a crying baby;

(ii) different methods for preventing a person from shaking a newborn, infant, or other young child;

(iii) the dangerous effects of shaking a newborn, infant, or other young child; and

(iv) the symptoms of shaken baby syndrome and who to contact, as recommended by the American Academy of Pediatrics, if a parent suspects or knows that a baby has been shaken in order to receive prompt medical treatment;

(C) a list of diseases for which a child is required by state law to be immunized and the appropriate schedule for the administration of those immunizations; and

(D) the appropriate schedule for follow-up procedures for newborn screening;

(2) if the woman is a recipient of medical assistance under Chapter 32, Human Resources Code, provide the woman and the father of the infant, if possible, or another adult caregiver with a resource guide that includes information in both English and Spanish relating to the development, health, and safety of a child from birth until age five, including information relating to:

(A) selecting and interacting with a primary health care practitioner and establishing a "medical home" for the child;

(B) dental care;

(C) effective parenting;

(D) child safety;

(E) the importance of reading to a child;

(F) expected developmental milestones;

(G) health care resources available in the state;

(H) selecting appropriate child care; and

1                    (I) other resources available in the state;

2                    (3) document in the woman's record that the woman  
3                    received the resource pamphlet [information] described in  
4                    Subdivision (1) and the resource guide described in Subdivision  
5                    (2), if applicable; and

6                    (4) [3] retain the documentation for at least five  
7                    years in the hospital's, birthing center's, physician's, nurse  
8                    midwife's, or midwife's records.

9                    (b) A hospital, birthing center, physician, nurse midwife,  
10                   or midwife:

11                   (1) may use the pamphlet provided on the department's  
12                   website or an alternative pamphlet that provides the information  
13                   required by Subsection (a)(1); and

14                   (2) may use the resource guide provided on the  
15                   department's website or an alternative guide that provides the  
16                   information required by Subsection (a)(2) [this section].

17                   (c) The department may make available online and distribute  
18                   an existing publication created by another health and human  
19                   services agency as the resource guide required by Subsection  
20                   (a)(2).

21                   Sec. 161.502. DUTIES OF DEPARTMENT. (a) The department  
22                   shall:

23                   (1) establish guidelines for the provision of the  
24                   information required by Section 161.501;

25                   (2) make available on the department's website:

26                   (A) a printable version of the pamphlet required  
27                   by Section 161.501(a)(1) [161.501]; and

1                    (B) a printable version of the resource guide  
2 required by Section 161.501(a)(2);

3                    (3) update the list of resources and required  
4 immunizations in the pamphlet required under Subdivision (2)(A)  
5 [~~(2)~~] quarterly;

6                    (4) make the pamphlet and resource guide required by  
7 Section 161.501 available for distribution to hospitals,  
8 physicians, birthing centers, nurse midwives, and midwives; and

9                    (5) coordinate funding for the development,  
10 publication, and distribution of the informational pamphlet and  
11 resource guide with other health and human services agencies, and  
12 solicit funding for the department's duties under this subchapter  
13 through means other than appropriations, such as gifts, grants, and  
14 sales of sponsorship or advertising.

15                    (b) The department may include additional information in  
16 the pamphlet or resource guide as appropriate for parents of  
17 newborns.

18                    (c) The Health and Human Services Commission shall develop  
19 specific performance measures by which the commission may evaluate  
20 the effectiveness of the resource guide under Section 161.501(a)(2)  
21 in:

22                    (1) reducing costs to the state; and

23                    (2) improving outcomes for children.

24                    (d) Not later than December 1 of each even-numbered year,  
25 the Health and Human Services Commission shall submit a report to  
26 the legislature on the effectiveness of the resource guide under  
27 Section 161.501(a)(2), including legislative recommendations

H.B. No. 1240

1 concerning the guide.

2       SECTION 2.   This Act takes effect September 1, 2009.

H.B. No. 1240

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1240 was passed by the House on March 31, 2009, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1240 was passed by the Senate on May 14, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor